



City of Seattle

Department of Planning and Development
Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3013230
Applicant Name: Kevin Broderick
Address of Proposal: 4915 Rainier Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a two-story structure containing 2,697 square feet of restaurant-with 2,960 square feet of office above. No parking is proposed. The existing structure is to be demolished.

The following approval is required:

SEPA – Environmental Determination- Chapter 23.05 Seattle Municipal Code

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Proposal

The applicant proposes to design and construct a mixed-use structure that houses 2,697 square feet of restaurant on the ground floor and 2,960 square feet of office space on the second floor. A one-story tavern would be demolished.

Site & Area Description

The site comprises 3,360 square feet along Rainier Avenue South between South Ferdinand Street on the north and South Hudson Street on the south. The project would be constructed on the site of Angie's bar, a one-story, wood framed building within the Columbia City Landmark

District. Zoned Neighborhood Commercial Three with a pedestrian classification and a forty foot height limit (NC3P 40), the site lies within an urban residential village.

Public Comment:

DPD did not receive letters during the public comment period, which ended on August 22, 2012.

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and annotated by the Land Use Planner. The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part, “Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation” subject to some limitations. Under such limitations/circumstances (SMC 25.05.665) mitigation can be considered.

Short-term Impacts

Construction activities could result in the following adverse impacts: construction dust and storm water runoff, erosion, emissions from construction machinery and vehicles, increased particulate levels, increased noise levels, occasional disruption of adjacent vehicular and pedestrian traffic, a small increase in traffic and parking impacts due to construction workers’ vehicles, and increases in greenhouse gas emissions. Existing City codes and ordinances applicable to the project such as: The Storm-water Grading and Drainage Control Code, the Street Use Ordinance, and the Building Code, would mitigate several excavation-related impacts.

Following is an analysis of the air, water quality, streets, grading, parking, and construction-related noise impacts as well as mitigation.

Air Quality

Excavation and construction activities are expected to temporarily add particulates to the air and will result in a slight increase in auto-generated air contaminants from construction worker vehicles; however, this increase is not anticipated to be significant. Federal auto emission controls are the primary means of mitigating air quality impacts from motor vehicles as stated in the Air Quality Policy (Section 25.05.675 SMC). No unusual circumstances exist, which warrant additional mitigation, per the SEPA Overview Policy.

Should asbestos be identified on the site, it must be removed in accordance with the Puget Sound Clean Air Agency (PSCAA) and City requirements. PSCAA regulations require control of

fugitive dust to protect air quality and require permits for removal of asbestos during demolition. In order to ensure that PSCAA will be notified of the proposed demolition, a condition will be included pursuant to SEPA authority under SMC 25.05.675A which requires that a copy of the PSCAA permit be attached to the demolition permit, prior to issuance. This will assure proper handling and disposal of asbestos.

Noise

The development site is located adjacent to a residential area where construction of this scale would impact the noise levels. The SEPA Noise Policy (Section 25.05.675B SMC) lists mitigation measures for construction noise impacts. It is the department's conclusion that limiting hours of excavation beyond the requirements of the Noise Ordinance is necessary to mitigate impacts that would result from the proposal on surrounding properties, because existing City ordinances do not adequately mitigate such impacts. This is due to the density of residential units in the area and the proximity of these structures to the subject site. The proposal is, therefore, conditioned to limit excavation activity to non-holiday weekday hours between 7:00 A.M. and 6:00 P.M. The department may modify this condition to allow work of an emergency nature or which cannot otherwise be accomplished during these hours by prior written approval of the Land Use Planner.

Grading

Excavation will consist of approximately 480 cubic yards of material. The soil removed will not be reused on the site and will need to be disposed off-site by trucks. City code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of "freeboard" (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed enroute to or from a site. No further conditioning of the grading/excavation element of the project is warranted pursuant to SEPA policies.

Construction Impacts

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Traffic and Parking

The construction of the project also will have adverse impacts on both vehicular and pedestrian traffic in the vicinity of the project site. During construction, a temporary increase in traffic volumes to the site will occur, due to travel to the site by excavation workers and the transport of construction materials. Approximately 480 cubic yards of soil are expected to be excavated from the project site. The soil removed for excavation will not be reused on the site and will need to be disposed off-site. Excavation and fill activity will require approximately 48 round trips with 10-yard hauling trucks or 24 round trips with 20-yard hauling trucks. Considering the large volumes of truck trips anticipated during construction, it is reasonable that truck traffic avoid the afternoon peak hours. Large (greater than two-axle) trucks will be prohibited from entering or

exiting the site between 4:00 and 6:00 PM. Truck access to and from the site has been documented in a construction traffic management plan submitted to DPD and SDOT. Compliance with Seattle's Street Use Ordinance is expected to mitigate any additional adverse impacts to traffic which would be generated during construction of this proposal.

The Street Use Ordinance also includes regulations that mitigate dust, and mud. Temporary closure of sidewalks and/or traffic lane(s) would be adequately controlled with a street use permit through the Transportation Department, and no further SEPA conditioning would be needed.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased surface water runoff due to greater site coverage by impervious surfaces; increased bulk and scale on the site; increased traffic in the area; and increased demand for parking.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: The Stormwater, Grading and Drainage Control Code which requires on site collection of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long-term impacts and no further conditioning is warranted by SEPA policies. However, due to the size and location of this proposal, green house gas emissions, traffic, parking impacts and historic preservation warrant further analysis.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Historic Preservation

The proposed project lies within the Columbia City Landmark District. In accordance with Seattle Municipal Code 25.20.(SMC 25.20) no changes may be made (including but not limited to alternation, demolition, construction, reconstruction, restoration, remodeling, painting, or signing) to the exterior of any property, building or structure in the District, which is visible from a public street, alley or right-of-way, or construct a new building or structure in the District without first receiving a Certificate of Approval, issued by the city of Seattle Landmarks Preservation Board (Board).

Applications are reviewed by the Columbia City Landmark District Review Committee (Review Committee) which makes recommendations to the Board for issuance or denial of Certificates of Approval.

Traffic and Transportation

According to the ITE Trip Generation handbook, a single tenant office building would produce a rate of 1.74 vehicle trips per 1,000 square feet of space. The proposed office area would produce approximately five vehicle trips during the PM peak hour. The 2,704 square foot restaurant would generate nine trips per 1,000 sq. ft during the PM peak hour. The 24 vehicle trips generated by the restaurant combined with the office use's five totals approximately 29 average PM peak hour vehicle trips. The trips from the previous use would be subtracted from the 29 trips to total new trips.

The impacts of the increased number of vehicular trips would not significant impact on the level of service on the nearby intersections.

No SEPA mitigation of traffic impacts to the nearby intersections is warranted.

Parking

The applicant does not propose to supply on-site parking spaces. City zoning regulations do not require parking for the amount of office and restaurant use in this zone.

These long-term impacts are not considered significant because the impacts are minor in scope.

CONCLUSION - SEPA

In conclusion, several adverse effects on the environment are anticipated resulting from the proposal, which are non-significant. The conditions imposed below are intended to mitigate specific impacts identified in the foregoing analysis, or to control impacts not regulated by codes or ordinances, per adopted City policies.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment with respect to transportation, circulation, and parking. An EIS limited in scope to this specific area of the environment was therefore required under RCW 43.21C.030(2)(C).

SEPA CONDITIONS

Prior to Issuance of a Demolition, Grading, or Building Permit

1. Attach a copy of the PSCAA demolition permit to the building permit set of plans.

During Construction

2. In order to further mitigate the noise impacts during excavation, the owner(s) and/or responsible party(s) shall limit the hours of excavation to non-holiday weekdays between 7:00 AM and 6:00 PM and Saturdays between 9:00 AM and 6:00 PM. This condition may be modified by the Department to permit work of an emergency nature after approval from the Land Use Planner. After the structures are enclosed, interior work may proceed at any time in compliance with the Noise Ordinance.

Signature: _____ (signature on file) Date: October 18, 2012
Bruce Philip Rips, Senior Land Use Planner
Department of Planning and Development

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